**In the High Court of Uttaranchal, at Nainital.**

**(Stay Application No. 10648/2006)**

**Criminal Writ Petition No. 1041/2006(M/B)**

Rakesh Sharma S/o B.D. Sharma,
R/o 75/2, Rajpur Road, P.S. Rajpur
Dehradun, District Dehradun .. .. Petitioner.

Versus

1- State of Uttaranchal through S.S.P. Dehradun.
2- S.H.O. Rajpur Dehradun,
District Dehradun.
3- Deepak Nagaliya S/o T.C. Nagaliya
R/o 20-B New Road, P.S. Rajpur,
Dehradun, District Dehradun,
Director M/s Life Time Conventions Pvt. Ltd., Okhala Industrial Area,
Phase-II, Delhi .. Respondents.

Sri Lok Pal Singh, learned counsel for the petitioner.
Sri D.K. Sharma learned G.A. for the State.

**Hon'ble B.C. Kandpal, J.**
**Hon'ble Prafulla C. Pant, J.**

By way of this petition the petitioner has sought the following reliefs:-

(a) To issue a writ, order or direction in the nature of certiorari to quash the F.I.R. dated 13-07-2006, registered as Case Crime No. 40 of 2006 U/Ss 420, 406, 323, 452, 504, 506, 427 I.P.C., P.S. Rajpur Dehradun, District Dehradun, contained in Annexure No.1 to this writ petition.

(b) To issue a writ, order or direction in the nature of mandamus commanding the respondents 1 and 2 not to arrest the petitioner in the aforesaid case crime, during the pendency of the writ petition.

2- Heard Sri Lok Pal Singh, learned counsel for the petitioner, Sri Vinod Sharma, learned counsel for the respondent No.3 and Sri D.K. Sharma, learned G.A. and perused the record.

3- After having considered the arguments advanced by the learned counsel for the parties and perusing of the material available before us, we are of the opinion that no indulgence of the court is required in the matter under Article 226 of the Constitution of India, for grant of any of the reliefs sought by the petitioner at this stage.

4- The writ petition lacks merit and is dismissed in limine.

5- The stay application also stands rejected.

**(P.C. Pant, J.)** **(B.C. Kandpal,J.)**

Dated: 22-08-2006
ISB